Communiqué of the Steering Board of the Peace Implementation Council*

The Peace Implementation Council Steering Board (PIC SB) Political Directors met via video conference on 1-2 June 2021 to review the process of implementation of the General Framework Agreement for Peace (GFAP), which remains the basis for a stable, secure and prosperous Bosnia and Herzegovina (BiH). The PIC SB reminded all parties of their obligation to comply fully with the GFAP, all its annexes, and decisions of the High Representative. It reaffirmed its unequivocal commitment to the territorial integrity and fundamental structure of BiH as a single, sovereign state comprising two entities. The PIC SB restated that the entities have no right to secede from BiH and only exist legally by virtue of the BiH Constitution. The PIC SB reminded authorities in BiH that the BiH Constitution is an integral part of the GFAP and that the decisions of the BiH Constitutional Court are final and binding and must be implemented. The PIC SB reiterated its full support for the High Representative in ensuring complete respect for the GFAP and carrying out his mandate under Annex 10 and relevant UN Security Council Resolutions, which remains unchanged. It underlined that the International Community retains the necessary instruments to uphold the GFAP. The PIC SB emphasized the need to fully implement the 5+2 agenda, which remains necessary for the closure of the Office of the High Representative.

In its June 2020 session, the PIC SB welcomed the initiative of the BiH Presidency to lead reforms aimed at fulfilling the European Commission's Opinion 14 key priorities with the aim to move forward on BiH's EU path. BiH's citizens need their leaders to focus their energies on delivering on basic yet significant economic, rule of law and electoral reforms this year, and to COVID response essential to citizen welfare and economic recovery.

Despite the repeated appeals to make use of the current year, as a non-election year, to carry out and speed up the agreed reform path of BiH, almost half of 2021 has elapsed without significant positive development.

The PIC SB repeatedly urged the BiH authorities to reach agreement on limited constitutional and electoral reform, addressing the European Court of Human Rights' *Sejdić/Finci* and related judgements on non-discrimination. In the process of electoral reform, the BiH Constitutional Court's election related decisions must be taken into account. The PIC SB welcomed the establishment of the Inter-Agency Working Group (IAWG) that kick-starts a long overdue institutional process to comprehensively address numerous shortcomings of the electoral framework and to render future elections more free, fair and aligned with EU and international standards. The PIC SB underscored the need for the active engagement of all leaders across the political spectrum and civil society, as well as the Central Election Commission, in order to succeed in these reforms.

The PIC SB also repeatedly urged the BiH authorities to implement reforms related to the rule of law and the fight against corruption, which are a key part of the EU accession process and citizen confidence, including by adopting amendments to the Law on the High Judicial and Prosecutorial Council (HJPC) and to the Public Procurement Law, and a new law on conflict of interests.

The PIC SB has instead witnessed some political leaders focusing on and engaging in divisive and destructive discourse, useful only to derail attention from the issues that truly matter and depriving citizens of adequate service delivery and future prospects. Such has been the case of the dead-end rhetoric and actions centered on the so-called "peaceful dissolution" of BiH, which was the focus of conclusions recently adopted by the Republika Srpska (RS) National Assembly. The PIC SB urged political leaders in BiH to cease further discussion and actions in this regard. Rhetoric calling into question the existence of the RS entity, agitating for further territorial division of the country or referencing potential for war, is likewise destabilizing and unacceptable.

In addition, the PIC SB expressed its concern over the continued glorification of convicted war criminals, denial of genocide and war crimes verdicts and other divisive acts which undermine the mutual trust and reconciliation needed to create a better future for all in BiH. The PIC SB supports all efforts by BiH leaders and citizens to engage in dialogue and concrete actions to promote trust and reconciliation and calls upon all leaders to cease divisive rhetoric and actions. The PIC SB calls on BiH leadership, to jointly honor all war victims and survivors as the foundation for a peaceful future.

The PIC SB noted positive developments including the implementation of Mostar election results through the formation of a City Council and budget adoption. The PIC SB met with the mayors of Sarajevo, Banja Luka, and Mostar, and leadership of the Brčko District Government and Assembly and was impressed by their commitment to prioritizing public service delivery, transparency of governance, and unlocking the potential of their communities through trust-building, infrastructure development and growth of the private sector. The PIC SB cited progress in these areas in Brčko District as proof that these objectives are achievable in BiH, with

sufficient engagement and political will.

The PIC SB expressed its disappointment with the lack of commitment to reforms reinforcing fiscal transparency and stability, promoting a single economic space and strengthening the local economy, including through the International Monetary Fund Extended Fund Facility (IMF EFF) requested by BiH. The PIC SB reiterated that ensuring uninterrupted adequate financing and unimpeded functioning of BiH institutions is an essential component of those efforts and urged the adoption of the 2021 state-level budget that allows BiH institutions to meet their needs and discharge their obligations.

The PIC SB urged the BiH authorities/political and institutional leaders to address the following priorities without further delay:

- Address the 14 key priorities of the European Commission's Opinion.
- Use 2021 as a non-election year to carry out limited constitutional and electoral reform, by implementing the Sejdić/Finci and other election related judgements of the European Court of Human Rights (ECtHR), which remain unimplemented, some for more than a decade. In the process of electoral reform, take into account decisions of the BiH Constitutional Court, the OSCE/ODIHR, GRECO and Venice Commission recommendations on election integrity. In the process of electoral reforms, refrain from taking legislative or political steps that would make the implementation of the ECtHR judgements more challenging or lead to further divisions.
- Take concrete steps at all political levels towards reconciliation in BiH, including through joint commemorations.
- Advance fiscal, economic and financial sector stability and resilience, including through reforms advised under the IMF EFF. Adopt the 2021 state-level budget.

- Finalize government formation and pending appointments at all levels of authority, including the judges of the Federation Constitutional Court.
- Improve coordination and cooperation among all levels of authority on combating the COVID-19 pandemic and mitigating its consequences. Advance vaccination programs and measures strengthening the healthcare system.
- Strengthen cooperation among all levels of authority, provide sufficient funding and develop a migration management and asylum system to manage migration and border security as the exclusive competence of the state. Both entities should equitably share the responsibility of meeting humanitarian obligations in accommodating migrants.

The PIC SB welcomed the appointment of Mr. Christian Schmidt as the new High Representative and expressed their full support to him in strengthening the stability in BiH by ensuring consistent implementation of the civilian aspects of the GFAP. The PIC SB commended the incumbent High Representative, Mr. Valentin Inzko, for the outstanding work he and his team have done for the stability and development of BiH.

The PIC SB will hold its next meeting on 7-8 December 2021.

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* The Russian Federation does not agree with this Communiqué.